IN THE UNITED STATES BANKRUPTCY COURT FOR THE MIDDLE DISTRICT OF TENNESSEE

IN RE:)	
HARVEY WALTER DIZOL and)	Bk. No. 12-08047-RM3-13
KATHERINE O'REILLY DIZOL,)	Chapter 13
4044 Fizer Road)	Judge Randal S. Mashburn
Springfield, TN 37172)	Ç
SSN: XXX-XX-6729 SSN: XXX-XX-6568)	
Debtor(s).	j	

ORDER SETTING ASIDE ORDER REQUIRING TRUSTEE TO HOLD FUNDS FOR THE BENEFIT OF A MORTGAGE CREDITOR

This matter came to be heard on August 20, 2014 upon the Trustee's Application for this Court to set aside and modify its order of April 28, 2014 which required the Trustee to hold funds for the benefit of SunTrust Mortgage and/or Carrington Mortgage, a creditor whose claim had been disallowed upon motion of the Trustee. This order was entered predicated upon the assumption that the Court would be considering the matter in an adversary. By order August 21, 2014, the adversary proceeding had been dismissed.

The Trustee indicated to the Court that the application had been filed to give all parties notice that the Trustee intended to disburse the funds to creditors holding allowed claims in accordance with the terms of the debtors' plan. The net result would be that the mortgage creditor would receive no benefit from the funds.

At the call of the docket, no opposition was raised to the Trustee's application. Based upon this lack of opposition, it is

ORDERED, the provisions of this Court's order of April 28, 2014 are set aside and the Trustee is authorized to distribute funds on hand to creditors holding allowed claims.

THIS ORDER WAS SIGNED AND ENTERED ELECTRONICALLY AS INDICATED AT THE TOP OF THE FIRST PAGE.

APPROVED BY:

/s/ Henry E. Hildebrand, III

Henry E. Hildebrand, III Chapter 13 Trustee P. O. Box 340019 Nashville, TN 37203-0019 615-244-1101; Fax 615-242-3241

pleadings@ch13nsh.com

CERTIFICATE OF SERVICE

I, the undersigned, hereby certifies that on or before the 26th day of August, 2014, a true and correct copy of the foregoing has been served in the following manner:

Email by Electronic Case Noticing to:

U. S. Trustee Steven R. Wilmoth, Counsel for Debtors

By U. S. Postal Service, postage prepaid to:

Harvey W. and Katherine O. Dizol, 4044 Fizer Road, Springfield, TN 37172 Robert J. Solomon, 40 Technology Pkwy. South, Suite 202, Norcross, GA 30092 John Medina, 3675 Crestwood Pkwy., Suite 300, Duluth, GA 30096

/s/ Henry E. Hildebrand, III

Henry E. Hildebrand, III Chapter 13 Trustee